

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 SCOTT WILLIAM THOMAS,

9 Plaintiff,

v.

10 DEPARTMENT OF CORRECTIONS,  
11 et al.,

12 Defendant.

CASE NO. C17-5417 BHS-TLF

ORDER ADOPTING REPORT  
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation (“R&R”)  
14 of the Honorable Theresa L. Fricke, United States Magistrate Judge. Dkt. 24. The Court  
15 having considered the R&R and the remaining record, and no objections having been  
16 filed, does hereby find and order as follows:

17 (1) The R&R is **ADOPTED**; and

18 (2) Defendants’ motion to dismiss, Dkt. 19, is **GRANTED**. Plaintiff’s claims  
19 against Defendant Department of Corrections (DOC) are **DISMISSED with prejudice**.  
20 Plaintiff’s claims against Defendants Brian Bowers and Robert Monger are **DISMISSED**  
21 **without prejudice**.  
22

1 .  
2 Dated this 7th day of November, 2018.

3  
4   
5

BENJAMIN H. SETTLE  
United States District Judge